

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Tammy L. Koval**  
Debtor(s)

Bankruptcy Case No.: 16-23200-CMB  
Issued Per July 27, 2017 Proceeding  
Chapter: 13  
Docket No.: 50 – 35, 49  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 5, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,126 as of August 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The claim of Shaler Area School District within Reserve Township at Claim No. 13 shall be paid per May 15, 2017 Order.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: August 4, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Tammy L. Koval  
 Debtor

Case No. 16-23200-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

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 Total Noticed: 38

Date Rcvd: Aug 04, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 06, 2017.

db Tammy L. Koval, 18 Villa Court, Pittsburgh, PA 15214-1439  
 cr +Pennsylvania Municipal Services, 336 Delaware Avenue, Oakmont, PA 15139-2138  
 cr +Peoples Natural Gas Company LLC, Attention: Barbara Rodgers, 375 North Shore Drive,  
 Pittsburgh, PA 15212-5866  
 14281727 Allegheny County, c/o Jordan tax Service, P.O. Box 200, Bethel Park, PA 15102-0200  
 14281728 Allegheny County, John Weistein, Allegheny County Treasurer, P.O. Box 643385,  
 Pittsburgh, PA 15264-3385  
 14281729 Allegheny General Hospital, c/o State Collection Service, P.O. Box 6250,  
 Madison, WI 53716-0250  
 14281731 +Allegheny Health Network, P.O. Box 645266, Pittsburgh, PA 15264-5250  
 14281730 Allegheny Health Network, c/o State Collection Service, P.O. Box 6250,  
 Madison, WI 53716-0250  
 14320068 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 14281735 Citizens Bank, P.O. Box 42113, Providence, RI 02940-2113  
 14281734 +Citizens Bank, 10561 Telegraph Road, Glen Allen, VA 23059-4577  
 14281736 +Citizens Bank, c/o Schlee & Stillman, 50 Tower Office Park, Woburn, MA 01801-2113  
 14292839 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3019  
 14305113 +County of Allegheny, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,  
 Pittsburgh, PA 15219-6101  
 14281738 +Discover Bank, c/o William T. Molczan, Esquire, 436 Seventh Avenue, Suite 2500,  
 Pittsburgh, PA 15219-1842  
 14281740 +Fifth Third Bank, c/o Ryan E. Calef & Associates, 1276 Veterans Highway, Suite E-1,  
 Bristol, PA 19007-2597  
 14322519 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011  
 14281742 Peoples, P.O. Box 644760, Pittsburgh, PA 15264-4760  
 14281744 Republic Services, P.O. Box 9001099, Louisville, KY 40290-1099  
 14281745 +Reserve Twp., c/o John V. Alioto, Tax Collector, 33 Lonsdale Street,  
 Pittsburgh, PA 15212-1396  
 14281746 +Shaler Area S.D. w/in Reserve Twp., c/o PA Municipal Service Co.,  
 336 Delaware Avenue Dept. L, Oakmont, PA 15139-2138  
 14281747 +Shaler Area S.D.-Reserve Twp., c/o John V. Alioto, Tax Collector, 33 Lonsdale Street,  
 Pittsburgh, PA 15212-1360  
 14281748 Synchrony Bank, c/o Monarch Recovery Management, P.O. Box 21089,  
 Philadelphia, PA 19114-0589  
 14281749 +Thomas M. Toth, D.M.D., 100 McKnight Park Drive, Suite 102, Pittsburgh, PA 15237-6519  
 14305114 +Township of Reserve, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,  
 Pittsburgh, PA 15219-6101  
 14281750 Township of Reserve, c/o Jordan Tax Service, 102 Rahway Road, McMurray, PA 15317-3349  
 14281751 Toyota Financial Services, P.O. Box 4102, Carol Stream, IL 60197-4102  
 14330339 +Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013,  
 Addison, Texas 75001-9013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14288664 E-mail/Text: ally@ebn.phinsolutions.com Aug 05 2017 01:20:17 Ally Financial,  
 PO Box 130424, Roseville MN 55113-0004  
 14281732 +E-mail/Text: ally@ebn.phinsolutions.com Aug 05 2017 01:20:17 Ally Financial,  
 4000 Lexington Avenue N, Suite 100, Shoreview, MN 55126-3196  
 14281733 E-mail/Text: bnckohlsnotices@becket-lee.com Aug 05 2017 01:20:19  
 Capital One/Kohl's Department Store, c/o Merchants & Medical Credit Corp.,  
 6324 Taylor Drive, Flint, MI 48507-4685  
 14281737 E-mail/Text: mrdiscen@discover.com Aug 05 2017 01:20:17 Discover Bank,  
 6500 New Albany Road, New Albany, OH 43054  
 14285234 E-mail/Text: mrdiscen@discover.com Aug 05 2017 01:20:17 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 14281739 E-mail/Text: DQENOTICES@BERNSTEINLAW.COM Aug 05 2017 01:21:13 Duquesne Light Company,  
 Payment Processing Center, P.O. Box 67, Pittsburgh, PA 15267-0001  
 14344563 +E-mail/Text: DQENOTICES@BERNSTEINLAW.COM Aug 05 2017 01:21:14 Duquesne Light Company,  
 c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,,  
 Pittsburgh, PA 15219-1945  
 14281741 E-mail/Text: bankruptcydpt@mcmcg.com Aug 05 2017 01:20:41 Midland Credit Management,  
 P.O. Box 60578, Los Angeles, CA 90060-0578  
 14344277 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 05 2017 01:43:22  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 14281743 E-mail/Text: Supportservices@receivablesperformance.com Aug 05 2017 01:21:08  
 Receivables Performance Management, P.O. Box 1548, Lynnwood, WA 98046-1548

TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Allegheny County  
 cr Duquesne Light Company  
 cr Township of Reserve  
 cr Toyota Lease Trust

TOTALS: 4, \* 0, ## 0

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 38

Date Rcvd: Aug 04, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 06, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 4, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Toyota Lease Trust bkgroup@kmlawgroup.com  
Jeffrey R. Hunt on behalf of Creditor Township of Reserve jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jeffrey R. Hunt on behalf of Creditor Allegheny County jhunt@grblaw.com, cnoroski@grblaw.com  
Jeremiah Vandermark on behalf of Creditor Pennsylvania Municipal Services  
jvandermark@tuckerlaw.com,  
sanantonio.bankruptcy@publicans.com;sanantonio.bankruptcy@publicans.com;dallas.bankruptcy@publicans.com  
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com;pashcroft@ecf.courtdrive.com;pghecf@bernsteinlaw.com;dschimizzi@bernsteinlaw.com;acarr@bernsteinlaw.com;cabbott@ecf.courtdrive.com  
Rodney D. Shepherd on behalf of Debtor Tammy L. Koval rodsheph@cs.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 9